

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1684

Introduced by Assembly Member Chávez

February 13, 2014

An act to ~~amend Section 35400 of~~ add Section 35400.10 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1684, as amended, Chávez. Vehicles: ~~maximum length.~~ *length limitations: buses: bicycle transportation devices.*

Existing law imposes a 40-foot limitation on the length of vehicles that may be operated on the highways, with specified exemptions. Existing law exempts from this limitation an articulated bus or trolley and a bus, except a schoolbus, that is operated by a public agency or passenger stage corporation that is used in a transit system if it is equipped with a folding device attached to the front of the vehicle that is designed and used exclusively for transporting bicycles, does not materially affect efficiency or visibility of vehicle safety equipment, and does not extend more than 36 inches from the front of the body of the bus or trolley when fully deployed. In addition, existing law prohibits a bicycle that is transported on the above-described device from having the bicycle handlebars extend more than 42 inches from the front of the vehicle.

This bill would authorize the North County Transit District to install folding devices attached to the front of its buses that are designed and used exclusively for transporting bicycles if the use of the device meets certain requirements, including, but not limited to, that the device does not extend more than 43 inches from the front of the bus, or more than

36 inches from the front bumper, when fully deployed, and that the handlebars of the bicycles being transported do not extend more than 49 inches from the front of the bus, or more than 42 inches from the front bumper. This bill would also establish, for a specified purpose, a route review committee prior to the installation of the initial folding device on a bus that is more than 40 feet in length. This bill would require the committee to perform an initial review of the routes on which the district proposes to operate a bus that is longer than 40 feet and that is equipped with a front-mounted bicycle rack, and would require the committee to make a determination of, by unanimous vote of all members, the routes that are suitable for the safe operation of those types of buses. The bill would require the district to submit a report, containing specified requirements, to the Assembly Committee on Transportation and the Senate Committee on Transportation and Housing on or before December 31, 2020.

This bill would make legislative findings and declarations as to the necessity of a special statute for the North County Transit District.

~~Existing law generally prohibits a vehicle from exceeding a length of 40 feet, and a combination of vehicles from exceeding a total length of 65 feet, with various specific exceptions, including a bus operated by a public agency or a passenger stage corporation, as defined, used in transit system service, other than a schoolbus, when the excess length is caused by a folding device attached to the front of the bus that is designed and used exclusively for transporting bicycles.~~

~~This bill would make a technical, nonsubstantive change to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 35400.10 is added to the Vehicle Code,
- 2 to read:
- 3 35400.10. (a) Notwithstanding Section 35400, the North
- 4 County Transit District, created pursuant to Division 11.5
- 5 (commencing with Section 125000) of the Public Utilities Code,
- 6 may install a folding device attached to the front of a bus that is
- 7 designed and used exclusively for transporting bicycles if all of
- 8 the following conditions are met:

1 (1) *The device does not extend more than 43 inches from the*
2 *front body of the bus, or more than 36 inches from the front*
3 *bumper, when fully deployed.*

4 (2) *The device, including all bicycles transported on the device,*
5 *is mounted in a manner that does not materially affect efficiency*
6 *or visibility of vehicle safety equipment.*

7 (3) *The handlebars of a bicycle that is transported on a device*
8 *described in this subdivision do not extend more than 49 inches*
9 *from the front of the bus, or more than 42 inches from the front*
10 *bumper.*

11 (4) *The total length of the bus, including the folding device and*
12 *load, does not exceed 45 feet.*

13 (b) *For purposes of this section, “district” means the North*
14 *County Transit District.*

15 (c) (1) *The district shall establish a route review committee*
16 *prior to the installation of the initial folding device, pursuant to*
17 *subdivision (a), on a bus that is more than 40 feet in length. The*
18 *purpose of the committee is to ensure the safe operation of a bus*
19 *that is longer than 40 feet and that is equipped with a*
20 *front-mounted bicycle rack.*

21 (2) *The committee established pursuant to this subdivision shall*
22 *perform an initial review of the routes on which the district*
23 *proposes to operate a bus that is longer than 40 feet and that is*
24 *equipped with a front-mounted bicycle rack. The review shall*
25 *include a field review of the proposed routes, including*
26 *consultation with licensed traffic engineers from affected public*
27 *agencies that have jurisdiction over segments of the route or routes*
28 *under review in order to ensure coordination with all affected state*
29 *and local public road agencies that may potentially be impacted*
30 *due to the operation of a bus that is longer than 40 feet and that*
31 *is equipped with a front-mounted bicycle rack.*

32 (3) (A) *By unanimous vote of all members, the committee shall*
33 *make a determination of the routes that are suitable for the safe*
34 *operation of a bus that is longer than 40 feet and that is equipped*
35 *with a front-mounted bicycle rack.*

36 (B) *Before conducting a vote pursuant to subparagraph (A),*
37 *the committee shall obtain certification approved by a licensed*
38 *traffic engineer that all proposed routes are safe for travel by*
39 *buses that are longer than 40 feet and that are equipped with*
40 *front-mounted bicycle racks specified in subdivision (a).*

1 (4) Upon any proposal to make substantive changes to additions
2 to approved routes, those changes shall be subject to review and
3 certification pursuant to paragraph (2) prior to being approved
4 by the committee.

5 (5) The members of the committee shall be selected not more
6 than 30 days after receipt of the district's proposal to equip a bus
7 that is longer than 40 feet with a front-mounted bicycle rack and
8 shall be comprised of the following members:

9 (A) One member from the district who shall be appointed by
10 the district's general manager and who shall be a voting member
11 of the committee.

12 (B) One member who is a licensed traffic engineer selected by
13 the governing board of the district and who shall be a voting
14 member of the committee.

15 (C) One member appointed by the labor organization that is
16 the exclusive representative of the bus drivers of the district. This
17 member shall be a voting member of the committee.

18 (D) One member appointed by the governing board of the
19 district who shall be a representative of the bicycling community
20 and who shall reside within the area of the district jurisdiction.
21 This member shall be a nonvoting member of the committee.

22 (d) If a folding device is installed pursuant to subdivision (a),
23 the district shall submit a report in compliance with Section 9795
24 of the Government Code to the Assembly Committee on
25 Transportation and the Senate Committee on Transportation and
26 Housing on or before December 31, 2020. The report shall include
27 a summary of any vehicular or traffic incidents where the size of
28 the folding device was a factor, and a summary of the mobility
29 improvements that these folding devices provide.

30 SEC. 2. The Legislature finds and declares that a special law
31 is necessary and that a general law cannot be made applicable
32 within the meaning of Section 16 of Article IV of the California
33 Constitution because of the unique circumstances of a large
34 number of bicycle riders using buses operated by the North County
35 Transit District and the need to determine whether there are safety
36 considerations in having 43-inch bicycle racks on the front of the
37 district's buses.

38 ~~SECTION 1. Section 35400 of the Vehicle Code is amended~~
39 ~~to read:~~

40 ~~35400. (a) A vehicle may not exceed a length of 40 feet.~~

1 ~~(b) This section does not apply to any of the following:~~

2 ~~(1) A vehicle used in a combination of vehicles when the excess~~
3 ~~length is caused by auxiliary parts, equipment, or machinery not~~
4 ~~used as space to carry any part of the load, except that the~~
5 ~~combination of vehicles shall not exceed the length provided for~~
6 ~~combination vehicles.~~

7 ~~(2) A vehicle, when the excess length is caused by any parts~~
8 ~~necessary to comply with the fender and mudguard regulations of~~
9 ~~this code.~~

10 ~~(3) (A) An articulated bus or articulated trolley coach that does~~
11 ~~not exceed a length of 60 feet.~~

12 ~~(B) An articulated bus or articulated trolley coach described in~~
13 ~~subparagraph (A) may be equipped with a folding device attached~~
14 ~~to the front of the bus or trolley if the device is designed and used~~
15 ~~exclusively for transporting bicycles. The device, including any~~
16 ~~bicycles transported thereon, shall be mounted in a manner that~~
17 ~~does not materially affect efficiency or visibility of vehicle safety~~
18 ~~equipment, and shall not extend more than 36 inches from the front~~
19 ~~body of the bus or trolley coach when fully deployed. The~~
20 ~~handlebars of a bicycle that is transported on a device described~~
21 ~~in this subparagraph shall not extend more than 42 inches from~~
22 ~~the front of the bus.~~

23 ~~(4) A semitrailer while being towed by a motortruck or truck~~
24 ~~tractor, if the distance from the kingpin to the rearmost axle of the~~
25 ~~semitrailer does not exceed 40 feet for semitrailers having two or~~
26 ~~more axles, or 38 feet for semitrailers having one axle if the~~
27 ~~semitrailer does not, exclusive of attachments, extend forward of~~
28 ~~the rear of the cab of the motortruck or truck tractor.~~

29 ~~(5) A bus or house car when the excess length is caused by the~~
30 ~~projection of a front safety bumper or a rear safety bumper, or~~
31 ~~both. The safety bumper shall not cause the length of the vehicle~~
32 ~~to exceed the maximum legal limit by more than one foot in the~~
33 ~~front and one foot in the rear. For the purposes of this chapter,~~
34 ~~“safety bumper” means any device that is fitted on an existing~~
35 ~~bumper or which replaces the bumper and is constructed, treated,~~
36 ~~or manufactured to absorb energy upon impact.~~

37 ~~(6) A schoolbus, when the excess length is caused by the~~
38 ~~projection of a crossing control arm. For the purposes of this~~
39 ~~chapter, “crossing control arm” means an extendable and retractable~~
40 ~~device fitted to the front of a schoolbus that is designed to impede~~

1 movement of pupils exiting the schoolbus directly in front of the
2 schoolbus so that pupils are visible to the driver while they are
3 moving in front of the schoolbus. An operator of a schoolbus shall
4 not extend a crossing control arm while the schoolbus is in motion.
5 Except when activated, a crossing control arm shall not cause the
6 maximum length of the schoolbus to be extended by more than 10
7 inches, inclusive of any front safety bumper. Use of a crossing
8 control arm by the operator of a schoolbus does not, in and of
9 itself, fulfill his or her responsibility to ensure the safety of students
10 crossing a highway or private road pursuant to Section 22112.

11 (7) A bus, when the excess length is caused by a device, located
12 in front of the front axle, for lifting wheelchairs into the bus. That
13 device shall not cause the length of the bus to be extended by more
14 than 18 inches, inclusive of any front safety bumper.

15 (8) A bus, when the excess length is caused by a device attached
16 to the rear of the bus designed and used exclusively for the
17 transporting of bicycles. This device may be up to 10 feet in length,
18 if the device, along with any other device permitted pursuant to
19 this section, does not cause the total length of the bus, including
20 any device or load, to exceed 50 feet.

21 (9) A bus operated by a public agency or a passenger stage
22 corporation, as defined in Section 226 of the Public Utilities Code,
23 used in transit system service, other than a schoolbus, when the
24 excess length is caused by a folding device attached to the front
25 of the bus that is designed and used exclusively for transporting
26 bicycles. The device, including any bicycles transported thereon,
27 shall be mounted in a manner that does not materially affect
28 efficiency or visibility of vehicle safety equipment, and shall not
29 extend more than 36 inches from the front body of the bus when
30 fully deployed. The handlebars of a bicycle that is transported on
31 a device described in this paragraph shall not extend more than 42
32 inches from the front of the bus. A device described in this
33 paragraph may not be used on a bus that, exclusive of the device,
34 exceeds 40 feet in length or on a bus having a device attached to
35 the rear of the bus pursuant to paragraph (8).

36 (10) (A) A bus of a length of up to 45 feet when operating on
37 those highways specified in subdivision (a) of Section 35401.5.
38 The Department of Transportation or local authorities, with respect
39 to highways under their respective jurisdictions, may not deny
40 reasonable access to a bus of a length of up to 45 feet between the

1 highways specified in subdivision (a) of Section 35401.5 and points
2 of loading and unloading for motor carriers of passengers as
3 required by the federal Intermodal Surface Transportation
4 Efficiency Act of 1991 (P.L. 102-240):

5 (B) A bus operated by a public agency and on those highways
6 specified in subparagraph (A) may be equipped with a folding
7 device attached to the front of the bus that is designed and used
8 exclusively for transporting bicycles. The device, including all
9 bicycles transported thereon, may be mounted in a manner that
10 does not materially affect efficiency or visibility of vehicle safety
11 equipment, and may not extend more than 36 inches from the front
12 body of the bus when fully deployed. The handlebars of a bicycle
13 that is transported on a device described in this subparagraph may
14 not extend more than 42 inches from the front of the bus. The total
15 length of the bus, including the folding device or load, may not
16 exceed 48.5 feet. A Route Review Committee, established under
17 this subparagraph, shall review the routes where a public agency
18 proposes to operate a 45-foot bus equipped with a front mounted
19 bicycle rack. The Route Review Committee shall be comprised of
20 one member from the public agency appointed by the general
21 manager of the public agency; one member who is a traffic engineer
22 and is employed and selected by the public agency that has
23 jurisdiction over the largest proportional share of routes among
24 all affected agencies; and one member appointed by the labor
25 organization that is the exclusive representative of the bus drivers
26 of the public agency. If there is no exclusive representative of the
27 bus drivers, a bus driver member shall be chosen by a majority
28 vote of the bus drivers employed by the agency. The members of
29 the Route Review Committee shall be selected not more than 30
30 days after receipt of a public agency proposal to equip a 45-foot
31 bus with a front mounted bicycle rack. The review shall include a
32 field review of the proposed routes. The purpose of the Route
33 Review Committee is to ensure the safe operation of a 45-foot bus
34 that is equipped with a front mounted bicycle rack. The Route
35 Review Committee, by a unanimous vote, shall make a
36 determination of which routes are suitable for the safe operation
37 of a 45-foot bus that is equipped with a front mounted bicycle rack.
38 These determinations shall be consistent with the operating
39 requirements specified in subparagraph (A). It is the intent of the
40 Legislature that the field review required under this subparagraph

1 include consultation with traffic engineers from affected public
2 agencies that have jurisdiction over segments of the route or routes
3 under review, to ensure coordination with all effected state and
4 local public road agencies that may potentially be impacted due
5 to the operation of a 45-foot bus with a front mounted bicycle rack.

6 (11) (A) A house car of a length of up to 45 feet when operating
7 on the National System of Interstate and Defense Highways or
8 when using those portions of federal aid primary system highways
9 that have been qualified by the United States Secretary of
10 Transportation for that use, or when using routes appropriately
11 identified by the Department of Transportation or local authorities,
12 with respect to highways under their respective jurisdictions.

13 (B) A house car described in subparagraph (A) may be operated
14 on a highway that provides reasonable access to facilities for
15 purposes limited to fuel, food, and lodging when that access is
16 consistent with the safe operation of the vehicle and when the
17 facility is within one road mile of identified points of ingress and
18 egress to or from highways specified in subparagraph (A) for use
19 by that vehicle.

20 (C) As used in this paragraph and paragraph (10), “reasonable
21 access” means access substantially similar to that authorized for
22 combinations of vehicles pursuant to subdivision (c) of Section
23 35401.5.

24 (D) Any access route established by a local authority pursuant
25 to subdivision (d) of Section 35401.5 is open for access by a house
26 car of a length of up to 45 feet. In addition, local authorities may
27 establish a process whereby access to services by house cars of a
28 length of up to 45 feet may be applied for upon a route not
29 previously established as an access route. The denial of a request
30 for access to services shall be only on the basis of safety and an
31 engineering analysis of the proposed access route. In lieu of
32 processing an access application, local authorities, with respect to
33 highways under their jurisdiction, may provide signing, mapping,
34 or a listing of highways, as necessary, to indicate the use of these
35 specific routes by a house car of a length of up to 45 feet.

36 (e) The Legislature, by increasing the maximum permissible
37 kingpin to rearmost axle distance to 40 feet effective January 1,
38 1987, as provided in paragraph (4) of subdivision (b), does not
39 intend this action to be considered a precedent for any future
40 increases in truck size and length limitations.

1 ~~(d) Any transit bus equipped with a folding device installed on~~
2 ~~or after January 1, 1999, that is permitted under subparagraph (B)~~
3 ~~of paragraph (3) of subdivision (b) or under paragraph (9) of~~
4 ~~subdivision (b) shall be additionally equipped with any of the~~
5 ~~following:~~

6 ~~(1) An indicator light that is visible to the driver and is activated~~
7 ~~whenever the folding device is in an extended position.~~

8 ~~(2) Any other device or mechanism that provides notice to the~~
9 ~~driver that the folding device is in an extended position.~~

10 ~~(3) A mechanism that causes the folding device to retract~~
11 ~~automatically from an extended position.~~

12 ~~(e) (1) A person may not improperly or unsafely mount a~~
13 ~~bicycle on a device described in subparagraph (B) of paragraph~~
14 ~~(3) of subdivision (b), or in paragraph (9) or (10) of subdivision~~
15 ~~(b).~~

16 ~~(2) Notwithstanding subdivision (a) of Section 23114 or~~
17 ~~subdivision (a) of Section 24002 or any other provision of law,~~
18 ~~when a bicycle is improperly or unsafely loaded by a passenger~~
19 ~~onto a transit bus, the passenger, and not the driver, is liable for~~
20 ~~any violation of this code that is attributable to the improper or~~
21 ~~unlawful loading of the bicycle.~~